

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
V.)	Criminal No. 05-10137-NMG
)	
)	
OZELIO PEREIRA DE ASSIS,)	
)	
Defendant.)	

**GOVERNMENT'S MOTION TO DECREASE OFFENSE LEVEL BY ONE
ADDITIONAL LEVEL FOR ACCEPTANCE OF RESPONSIBILITY**

The United States, by and through its attorneys, Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Antoinette E.M. Leoney, Assistant U.S. Attorney, hereby moves, pursuant to U.S.S.G. §3E1.1(b) (effective April 30, 2003) and to the extent prescribed by U.S.S.G. §1B1.11, for an additional one level decrease in Defendant Ozelio Pereira De Assis' offense level for acceptance of responsibility. The Defendant is scheduled to be sentenced on February 8, 2006.

As grounds therefore, the government states that the defendant has assisted authorities in the investigation and prosecution of his own misconduct by timely notifying authorities of his intention to enter a guilty plea, thereby permitting the government to avoid preparing for trial and permitting the government and the court to allocate their resources efficiently.

WHEREFORE, the government respectfully requests that the Court impose an additional one level decrease in Defendant

Ozelio Pereira De Assis' offense level for acceptance of responsibility.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Antoinette E.M. Leoney
ANTOINETTE E.M. LEONEY
Assistant U.S. Attorney
(617) 748-3100

Date: February 1, 2006

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
February 1, 2006

I, Antoinette E.M. Leoney, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing by electronic court filing, to Roger Witkin, Esq., 6 Beacon Street, Suite 1010, Boston, MA 02108.

/s/ Antoinette E.M. Leoney
ANTOINETTE E.M. LEONEY
Assistant U.S. Attorney